

Court of Appeals, Division One
Civil Appeal

1 CA-CV 15-0786

AMBERWOOD et al. v. SWANNS

Appellate Case Information

Case Filed: 25-Nov-2015
Case Closed:

Dept/Composition

Side 1. AMBERWOOD DEVELOPMENT, INC., an Arizona corporation doing business as Amberwood Homes; WINSTON CASA, LLC, an Arizona corporation; SUMMERSET MARKETING ENTERPRISES, INC., an Arizona corporation doing business as Amberwood Homes,

Third Party, Plaintiff/Appellee-Cross Appellant

(Litigant Group) AMBERWOOD DEVELOPMENT et al.

- Amberwood Development Inc
- Winston Casas LLC
- Summerset Marketing Enterprises Inc

Attorneys: Plaintiffs/Appellees/Cross-Appellants

Jennifer E Mullen, Esq. (AZ Bar No. 29620)
Barrett N Lindsey, Esq. (AZ Bar No. 28311)

Side 2. SWANN'S GRADING, INC., an Arizona corporation,

Third Party, Defendant/Appellant-Cross Appellee

(Litigant Group) SWANNS GRADING INC

- Swanns Grading Inc

Attorneys for: Defendant/Appellant/Cross-Appellee

Lynn M Allen, Esq. (AZ Bar No. 12612)
Lena Pond, Esq. (AZ Bar No. 30720)

CASE STATUS

May 26, 2016....At Issue

PREDECESSOR CASE (S)		Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR	CV2008-012745	Breach of Implied Warranty of Workmanship and Habitability; Breach of Express Warranty and Breach of Contract		Randall H Warner, Authoring Judge of Order		

28 PROCEEDING ENTRIES

1.	25-Nov-2015	FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 10/29/15; Notice of Cross Appeal from Maricopa County Superior Court filed 11/18/15				
2.	25-Nov-2015	FILED: e-Record on Appeal: Instruments/Minute Entries Exhibits - not sent at this time				
3.	4-Dec-2015	FILED: Notice to Parties re: Appellant/Cross-Appellee's Fee/Case Management Statement/Brief Due				
4.	11-Dec-2015	FILED: Third Party Plaintiffs/Appellees/Cross-Appellants' Notice of Payment of Appeal Filing Fee; Third Party Plaintiffs/Appellees/Cross-Appellants' Notice of Payment of Appeal Filing Fee (duplicate copy)				
5.	14-Dec-2015	RECEIPT No.: 2015-01713 ; \$280.00, Check Number: #1017, Applied to: SWANNS GRADING INC - Class A Filing Fee (\$280.00) Paid for: - By Tyson & Mendes LLP				
6.	15-Dec-2015	FILED: Appellee/Cross Appellant's Notice Re: Balance of Cross Appellant's Fee Due and Case Management Statement Due/Appellant's Brief Due				
7.	17-Dec-2015	RECEIPT No.: 2015-01736 ; \$280.00, Authorization: #50015141422, Applied to: AMBERWOOD DEVELOPMENT et al. - Class A Filing Fee (\$280.00) Paid for: Lee Hernandez Landrum Garofalo - By Integrated Resource Systems IN				
8.	17-Dec-2015	RECEIPT No.: 2015-01741 ; \$140.00, Authorization: #50015141422, Applied to: AMBERWOOD DEVELOPMENT et al. - Class B Filing Fee (\$140.00) Paid for: Lee Hernandez Landrum Garofalo - By Integrated Resource Systems IN (Memo: XREF 2015-01736)				
9.	17-Dec-2015	VOID RECEIPT No.: 2015-01736 - \$-280.00, Authorization: #50015141422, - Applied to: AMBERWOOD DEVELOPMENT et al. - Class A Filing Fee (\$-280.00) Paid for: Lee Hernandez Landrum Garofalo - By: Integrated Resource Systems IN VOID Reason: x-ref 2015-01741 incorrect receivable. alc				

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28 PROCEEDING ENTRIES

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| 10. | 18-Dec-2015 | RECEIPT No.: 2015-01743 ; \$140.00, Authorization: #50015141422, Applied to: AMBERWOOD DEVELOPMENT et al. - Class A Filing Fee (\$140.00) Paid for: Lee Hernandez Landrum Garofalo - By Integrated Resource Systems IN (Memo: x-ref 2015-01741;partial payment) |
| 11. | 18-Dec-2015 | RECEIPT No.: 2015-01744 ; \$140.00, Check Number: #1004, Applied to: AMBERWOOD DEVELOPMENT et al. - Class A Filing Fee (\$140.00) Paid for: - By The Lee Law Firm A Pro Corp |
| 12. | 18-Dec-2015 | VOID RECEIPT No.: 2015-01741 - \$-140.00, Authorization: #50015141422, - Applied to: AMBERWOOD DEVELOPMENT et al. - Class B Filing Fee (\$-140.00) Paid for: Lee Hernandez Landrum Garofalo - By: Integrated Resource Systems IN (Memo: XREF 2015-01736) VOID Reason: X-REF 2015-01743 incorrect receivable a partial payment. alc |
| 13. | 24-Dec-2015 | FILED: Case Management Statement; Exhibit 1 - Judgment filed 8/7/15 (Appellant) |
| 14. | 4-Jan-2016 | FILED: Reporter's Transcript - 6/2/15 - Trial (Barbara Stockford) |
| 15. | 12-Jan-2016 | FILED: Reporter's Transcript – 03/19/2012 - Oral Argument (Thelma J Neal) (Appellant) |
| 16. | 12-Jan-2016 | FILED: Reporter's Transcript – 05/08/2015 - Trial Management Conference (Thelma J Neal) (Appellant) |
| 17. | 12-Jan-2016 | FILED: Notice of Filing and Serving Transcripts; Certificate of Service re Notice of Filing and Serving Transcripts (Appellant) |
| 18. | 13-Jan-2016 | FILED: Case Management Statement (Appellee/Cross-Appellants) |
| 19. | 2-Feb-2016 | FILED: Third Party Defendant/Appellant's Opening Brief; Certificate of Compliance; Certificate of Service |
| 20. | 18-Mar-2016 | FILED: Appellee's/Cross-Appellant's Answering Brief and Opening Brief on Cross-Appeal; Certificate of Compliance; Certificate of Service |
| 21. | 21-Mar-2016 | FILED: Request for Oral Argument; Certificate of Service (Appellee) |
| 22. | 2-May-2016 | FILED: Appellant/Cross-Appellee's Joined Reply and Cross-Answering Brief; Certificate of Compliance; Certificate of Service |
| 23. | 26-May-2016 | FILED: Appellee's/Cross-Appellant's Reply Brief on Cross-Appeal; Certificate of Compliance; Certificate of Service (Appellees-Cross Appellants) |
| 24. | 28-Jun-2016 | FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days |
| 25. | 8-Jul-2016 | FILED: Supplemented Superior Court e-Record with Revised Index of Record |
| 26. | 8-Jul-2016 | FILED: Additional Record on Appeal:
Exhibits: HD 6/2/15 - LIST # 1 2 3 4 5 6 7 8 11 12 14 15 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 38 in a Box |
| 27. | 12-Jul-2016 | ORDERED: Request for Oral Argument (Appellee) = GRANTED. Hon Michael J Brown - Author |
| 28. | 15-Nov-2016 | FILED: Supplemental Citation of Legal Authority; Certificate of Service (Appellees/Cross-Appellants) |